

Revised Adopted

BYLAWS OF THE PROJECT AREA COMMITTEE

Cajon Redevelopment Project Area

Section I. PAC Membership

The Project Area Committee (the "PAC") shall be an advisory body composed of up to nine (9), and no less than five (5) members. Membership in the PAC shall be as specified in the Project Area Formation Election Procedures (the "Formation and Election Procedures"), as adopted by Resolution No. 2005-020 of the San Bernardino County Board of Supervisors (the "Board of Supervisors") on February 8, 2005. The Formation and Election Procedures are attached hereto as Exhibit "A" and are incorporated herein by this reference.

Members of the PAC will serve during the adoption period for the Cajon Redevelopment Project Area Plan (the "Plan") and for three (3) years thereafter. The terms of all members of the PAC shall expire on the date that is the third anniversary of the date of adoption of the Plan. Membership of a member shall be terminated in the event that the member does not meet the qualifications for candidacy in the category to which he or she was elected as established by Resolution No. 2005-021

Section II. Purpose

The PAC is an advisory body to the County of San Bernardino Redevelopment Agency, (the "Agency"), on matters relating to the redevelopment in the proposed Cajon Redevelopment Project Area (the "Project Area"). In accordance with Health and Safety Code Section 33386, the PAC shall provide a means for residents within the Project Area to relay their redevelopment related policy objectives to the Agency, in addition to policy matters that deal with the planning and provision of residential facilities for residents displaced by redevelopment activities.

Section III. Vacancies

Vacancies on the PAC that occur after the PAC formation election shall be filled in accordance with the Formation and Election Procedures.

Section IV. Resignation

Any PAC member may resign at any time by giving written notice to the Agency Executive Director. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Section V. Compensation

In accordance with California Redevelopment Law, members of the PAC shall serve without compensation.

Section VI. Financial Disclosure Requirements

All PAC members shall be required to submit annual Financial Disclosure Forms as required by the Fair Political Practices Commission. Failure to submit the report within the required time shall be a basis of disqualification from the PAC.

Section VII. Unexcused Absence from Meetings

If any member of the PAC is absent without excuse for two (2) consecutive meetings, the PAC Chairperson, or in his/her absence the PAC Vice-Chairperson, shall certify said absences to the PAC, which thereafter shall by simple majority of members present and voting may declare the position on the PAC to be vacant. The position so declared vacant shall be filled as provided in Section II hereof.

Section VIII. Officers

At the first meeting held after the election of PAC members is certified pursuant to the Formation and Election Procedures, and each year at the first meeting held after January 1, beginning on January 1, 2006, the PAC, from among its membership, shall elect a Chairperson and a Vice-Chairperson. The Chairperson shall preside at all meetings of the PAC. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. Should the office of the Chairperson or the Vice-Chairperson become vacant, the PAC shall elect a successor from among the PAC members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

Section IX. Staff

The Executive Director of the Redevelopment Agency of the County of San Bernardino (the "Agency"), or a designee, shall provide technical assistance to, and staff support for, the PAC, and shall further act as liaison from the Board of Supervisors and the Agency to the PAC so that policies of the Board of Supervisors and the Agency are known to the PAC. The PAC shall advise the Board of Supervisors, the Agency, and the staff both on general policies of the Agency and specific proposals for Agency action in accordance with Health and Safety Code Section 33386.

Section X. Meetings

During the Project adoption process, the PAC shall hold meetings on a regular basis as determined by the Agency. For a period of three (3) years following the adoption of the Project, the PAC shall meet **at least** semi-annually at a time and place determined by the PAC and set by Agency Staff. Calls for a regular meeting shall state the date, time, and place of the meeting. All deliberations and proceedings of the PAC shall be public. The PAC shall keep minutes of its proceedings, and such minutes shall be of public record. The meetings shall be noticed and conducted pursuant to the Ralph M. Brown Act (Section 54950 and following of the California Government Code). Accordingly, a written notice of the date, time, and place of any regular meeting shall be posted seventy-two (72) hours before the meeting is to begin, and at the same time it is posted, said notice shall also be mailed to those requesting such notices by mail.

Any meeting of the PAC may be adjourned to an adjourned meeting without the need for notice requirements providing the adjournment indicates the date, time and place of the adjourned meeting. PAC members absent from the meeting at which the adjournment decision is made shall be notified by Agency staff of the adjourned meeting.

Section XI. Rules of Procedure

The procedures set forth in Robert's Rules of Order, current edition, shall prevail.

A quorum shall be defined as a majority of the current members of the PAC. Approval, conditional approval, or denial of any motion shall be by a simple majority vote of those present and voting on the motion. A tie vote on a motion to approve or conditionally approve shall constitute a failure of the motion.

Public comment shall be provided for at all meetings of the PAC. Each speaker shall be limited to three minutes.

All PAC participants must observe appropriate conduct and refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the PAC meeting is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the PAC meeting, is a violation of these bylaws.

PAC members who violate the Rules of Procedure may be terminated by the Agency's Board of Directors, but only on a recommendation of a two-thirds vote of the PAC. Before the PAC can take action to vote to terminate a member, the action must be agenzized on two consecutive PAC agendas.

Section XII. Order of Business

The following shall be the typical order of business at regular meetings of the PAC; however, by a simple majority vote of those present and voting, items may be considered out of order for the convenience of guests or the public:

1. Call to Order and Roll Call
 - a. Approval of Absences
 - b. Approval of Agenda
2. Approval of minutes of previous meeting
3. Reports
4. Old Business
5. New Business
6. Public Comments
7. PAC Member Comments
8. Staff Comments
9. Adjournment

Section XIII. Amendments to Bylaws

The Bylaws of the PAC shall be amended only upon the affirmative vote of a simple majority of the members of the PAC present and voting, taken at a regular duly noticed meeting of the PAC.

Revised Item

EXHIBIT A
FORMATION AND ELECTION PROCEDURES

County of San Bernardino
Redevelopment Agency

PROPOSED CAJON PROJECT AREA

**PROJECT AREA COMMITTEE
FORMATION AND ELECTION PROCEDURES**

**COUNTY OF SAN BERNARDINO
REDEVELOPMENT AGENCY
PROPOSED CAJON PROJECT AREA**

Project Area Committee Formation and Election Procedures

Prior to calling for the formation of a Project Area Committee (a "PAC") in any existing or proposed redevelopment project area, including territory to be added thereto (the "Project Area"), the Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*; the "CRL") requires the Board of Supervisors to establish a procedure for the formation of a PAC and election of PAC members. Under the law, the procedure is required to describe the method and timing of the formation of the PAC, including the method and procedure for giving notice to the public regarding formation of the PAC. Procedures regarding the election of PAC members must also be adopted after a public hearing before the Board of Supervisors.

1.0 DEFINITIONS

For the purposes of these Project Area Committee Formation and Election Procedures (the "Procedures"):

1. "Business" means any lawful activity, whether or not carried on for profit, which is conducted within the Project Area for (i) the purchase, sale, lease, or rental of tangible or intangible personal property (a "Retail Business"); (ii) the manufacture, processing, or marketing of products, commodities or any other personal property (a "Manufacturing Business"); or (iii) the sale of services to the public (a "Service Business"). Business also includes any property owner who is a Person who owns real property in the Project Area, but who does not use the real property for personal residential purposes. Such real property includes, residential, non-owner occupied property, industrial property, retail property, and other commercial property, including vacant property. All businesses shall have been located in the Project Study Area for at least one year prior to adoption of the Cajon Study Area to be eligible for the PAC.
2. "County" means the County of San Bernardino, California.
3. "Board of Supervisors" means the Board of Supervisors of the County, exercising powers as the legislative body under the CRL.
4. "Agency" means the Redevelopment Agency of the County, a public body, corporate and politic, which exercises powers as a redevelopment agency under the CRL.
5. "Community Organization" means any private nonprofit organization of persons organized for religious, entrepreneurial, scientific, educational, literary or other purposes, which provides services to

the Project Area, its residents, businesses or tenants, or draws membership from the Project Area, and which organization has existed for at least one year prior to the call to form a Project Area Committee of the Project Area. Community organization does not include governmental agencies.

6. "Membership Category" means a group of voters or Project Area Committee members made up only of Subarea A and Subarea B Businesses and Residential Owner-Occupants, Subarea A Residential Tenants, and Community Organization.
7. "Person" means, but is not limited to, an individual, household, family, proprietorship, partnership, business trust, joint venture, syndicate, corporation, limited liability company, or association.
8. "Project Area" means an area defined in a preliminary plan formulated pursuant to CRL Section 33322, or as otherwise defined pursuant to the CRL.
9. "Project Area Committee" or "PAC" means the committee formed and selected in accordance with Section 33385 et seq. of the CRL and these Procedures.
10. "Resident" means a Residential Owner-Occupant or Residential Tenant in the Project Area.
11. "Residential Owner-Occupant" means a person who owns a dwelling unit in the Project Area and occupies such dwelling unit as a permanent residence and usual place of abode; and, who has resided in the project area for at least one year prior to the adoption of the Study Area.
12. "Residential Tenant" means a person who rents a dwelling unit in the Project Area pursuant to a rental agreement and has occupied such dwelling unit as a permanent residence and usual place of abode for not less than twenty-nine (29) days prior to the PAC election meeting.
13. "Subarea A" means the portion of the proposed Cajon Project Area designated as the Subarea A (see Attachment "A").
14. "Subarea B" means the portion of the proposed Cajon Project Area designated as the Subarea B (see Attachment "A").

2.0 PAC FORMATION REQUIREMENTS

According to the CRL Section 33385, the Board of Supervisors shall call for the election of a PAC where a substantial number of low- and/or moderate-income persons reside in a Project Area, and either there is eminent domain authority in the redevelopment plan with respect to property on which any persons reside, or

there is one or more public projects proposed that could displace a substantial number of low- and/or moderate-income persons.

3.0 NOTIFICATION AND MEETINGS

1. Agency staff shall conduct at least one public meeting to explain the establishment of, function of, and opportunity to serve on the PAC. This meeting shall be conducted at least two weeks, but no more than four weeks, prior to the meeting at which PAC members are elected. At the meeting, the Agency shall distribute copies of these Procedures, Sections 33347.5, 33366, and 33385 through 33388 of the CRL, the Preliminary Plan as appropriate, or the pertinent portions thereof, materials relating to the disclosure of economic interests in the Project Area, applications for PAC membership, and any other materials the Agency determines would be useful.
2. The Agency shall publish notice of each meeting, hearing or election relative to the formation and selection of the PAC at least one time in a newspaper of general circulation in the County at least ten days prior to the date for each meeting, hearing or election. Alternatively, the Agency may publish notice once with all dates for meetings, hearings and elections. The notice shall include:
 - The date, time and place of each meeting, hearing or election.
 - The identity of each body conducting such meeting, hearing or election.
 - A general explanation of the matters to be considered.
 - A general description of the Project Area in text or by diagram.
 - A statement that a PAC will be formed for the Project Area.
 - A general description of the duties of PAC members.
 - A general statement of the criteria for eligibility to vote for PAC members and serve on the PAC.
3. The Agency shall provide written notice, at least 30 days prior to election, of the PAC formation meeting and opportunity to serve on the PAC via first class mail to all mailing addresses in the Project Area, regardless of whether such addresses are business or residential properties, whether they are occupied by owners or tenants. The written notice shall briefly explain the reasons why the PAC is being formed, where copies of the Preliminary Plan or Redevelopment Plan as appropriate, or pertinent portions thereof, may be obtained, where PAC membership applications may be obtained, and where information regarding financial disclosure and other pertinent PAC information may be obtained. The written notice shall also include a map of the Project Area and a schedule of meetings for the formation of the PAC and election of PAC members.

4.0 COMPOSITION OF THE PAC

According to the CRL, the PAC shall be representative of the Project Area. The CRL does not provide a definition of “representative;” therefore, the composition of the PAC shall be based upon each group’s proportionate share of business or residential units in the Project Area. The maximum and minimum number of

people to be elected to the PAC and the number of PAC members to be elected from each Membership Category shall be set by resolution of the Board of Supervisors at the time the Board of Supervisors calls for the formation of the PAC.

The Board of Supervisors has appointed one Community Organizations to the PAC at the time the Board of Supervisors called for the formation of the PAC. The number of Community Organizations represented on the PAC shall be set by resolution of the Board of Supervisors at the time the Board of Supervisors calls for the formation of the PAC. The community organization identified by the Board of Supervisors is "Blake Little League".

The Board of Supervisors has established the maximum size of the Project Area

Committee as nine (9) members to be comprised as follows:

Subarea A

Permanent Resident Owners	3
Businesses	2
Resident Tenants	1
Subarea A Total	6

Subarea B

Permanent Resident Owners	1
Businesses	1
Subarea B Total:	2

Community Organization 1

Project Area Committee Total 9

The minimum size of the Project Area Committee shall be five (5) members.

5.0 NOMINATION OF PAC MEMBERS

1. Each candidate for election to PAC membership must submit a completed PAC Application to the Agency, which Application must be received by the Agency by 5:00 p.m. March 23, 2005. A copy of the standard PAC Application is attached as Attachment "A" and is incorporated herein by this reference. All PAC Applications submitted shall be available to the general public for review at the Redevelopment Agency of the County of San Bernardino, 215 North "D" Street, Suite 301, San Bernardino, CA 92415-0121, beginning on the business day following the submittal deadline. All PAC Applications shall be available at the election meeting.
4. Each Community Organization appointed to serve on the PAC shall appoint one of its members to serve on the PAC. An alternate may also be appointed to serve on the PAC in the event that the original representative is unable to attend a PAC meeting. Both the member and the alternate shall have been members of the organization for not less than one year

prior to the date of the PAC election. However, in no event shall more than one member of the Community Organization attend the PAC meetings in a representative capacity.

5. If an insufficient number of nomination forms for any particular elected Membership Category is received by the Agency, then individuals who otherwise meet the requirements for PAC membership may nominate themselves to PAC membership from the appropriate elected Membership Category at the election meeting.
6. A PAC may be formed if between no more than the maximum and no fewer than the minimum number of PAC members determined pursuant to Section 4.0 are elected to the PAC pursuant to these procedures.

6.0 CANDIDATE AND VOTER ELIGIBILITY

1. Those eligible to vote in the PAC election and/or to be PAC members shall be eighteen (18) years of age or older, shall be a member of at least one elected Membership Category, and shall be lawful residents of United States of America.
2. Candidates for PAC membership and voters must certify that they are eligible to serve as PAC members. Candidates for elected PAC membership shall do this by signing a PAC eligibility certificate at the time PAC membership applications are submitted, or a nomination is made pursuant to Section 5.3, at the PAC election meeting. Eligible voters must certify that they are eligible to vote for elected PAC members by signing a PAC eligibility certificate either before or at the PAC election meeting. Said certificate is attached as Attachment "B", and is made a part hereof by this reference. Proof of identification and eligibility to serve in the selected category shall be required.
3. Artificial entities and businesses, such as partnerships or corporations, for example, may select only one person to run or vote on behalf of that entity, even if that entity may be qualified in more than one category. For example, if a partnership owns property in the Project Area and conducts a business in the Project Area, only one partner may run or vote (but may run or vote in each category); one partner may not run or vote in one category and another partner run or vote in another category.

7.0 ELECTION OF PAC MEMBERS

1. At the time and place of the meeting held to elect the elected members of the PAC, the Agency shall provide a second briefing to attendees on election procedures, PAC roles and duties, how individuals may participate, disclosure requirements, and the provisions of the Ralph M. Brown Act (Government Code Section 54950, *et seq.*).
2. The staff of the Agency shall supervise the PAC election and shall record all results thereof.

3. Attendees who wish to participate in the election of PAC members shall then divide into their respective elected Membership Categories and shall elect by ballot the number of PAC members permitted in Section 4.0 for their elected Membership Category. Each voter may vote in only one elected Membership Category, and any individual voting in more than one elected Membership Category is prohibited. Each voter may vote for up to the number of members permitted for the respective elected Membership Category. The Agency shall provide ballot forms and other materials necessary to conduct the election. Prior to the election, each candidate may briefly state his or her background and why he or she wishes to be on the PAC.
4. The Agency staff shall then count the ballots for each of the elected Membership Categories, and shall announce the names of the appropriate number of candidates who received the greatest number of votes for each elected Membership Category. Those who received the greatest number of votes shall be named to the PAC. For instance, if there are to be two representatives in a certain category, then the two candidates receiving the highest number of votes in that category shall be named members of the PAC. If a runoff is necessary, it shall be announced and held immediately.
5. If, at the time of formation of the PAC, an insufficient number of candidates are elected to represent each elected Membership Category on the PAC, such seats may remain vacant until qualified and eligible candidates are selected in the manner provided by Section 10.7 of these Procedures, so long as there is no fewer than the minimum number of members determined pursuant to Section 5.0.
6. Until such time as vacant seats on the PAC have been filled, a majority of the occupied seats on the PAC shall constitute a quorum. The existence of any vacancies shall not prevent formation of the PAC or the conduct of business by the PAC, provided this complies with the requirements contained in Section 5.0 of these Procedures.
7. If fewer than the minimum number of candidates set by the Board of Supervisors pursuant to Section 4.0 of these Procedures are elected, then the Agency shall make a second attempt to secure a PAC by conducting an additional election. The additional election shall be noticed through a newspaper publication, as specified in Section 3.2 of these Procedures. In addition, at least two weeks prior to the additional election the Agency shall mail written notice of the opportunity to serve on the PAC in a manner pursuant to Section 3.3. Those elected to the PAC in the first election shall retain their seats, and the second election shall only be to fill vacant seats.
8. If, following the second election, fewer than the minimum number of candidates set by the Board of Supervisors pursuant to Section 4.0 of these Procedures are elected, then the PAC shall not be formed. In the event a PAC is not formed pursuant to this paragraph, the people attending the second PAC election may choose an advisory committee from amongst themselves, which shall include the members elected to the PAC at the first election. Said committee may meet periodically to review the proposed redevelopment plan for the Project Area, but shall not be a PAC.

8.0 PRESENTATION OF PAC TO BOARD OF SUPERVISORS

Agency staff shall present the results of the PAC election to the Board of Supervisors at a regular meeting of the Board of Supervisors following the PAC election, which date shall be announced at the PAC election meeting. The Board of Supervisors shall adopt a finding that all the relevant portions of these Procedures regarding the election were followed and shall determine the validity of any properly filed challenges to the PAC election within the time required by law and as set forth below.

9.0 CHALLENGES TO THE PAC ELECTION

1. Any challenges to the election of the PAC or a PAC member or to an electoral procedure must be filed with the Clerk of the Board of Supervisors within 15 days of the PAC election. The Board of Supervisors shall act on the validity of the challenge to the election within 30 days of the election. If there are no challenges to the election, then within 30 days of the election the Board of Supervisors shall declare the election valid and shall direct the Agency to convene the PAC within 30 days.
2. If there is a valid challenge to the election of an individual PAC member, the un-elected candidate with the second largest amount of votes shall take office. If there is a valid challenge to a PAC category, then the Board of Supervisors shall direct Agency staff to reconvene the PAC election meeting within 45 days. All notifications and meetings with regard to the category shall be redone pursuant to these guidelines.

10.0 PAC DUTIES AND PROCEDURES

The PAC shall advise the Agency concerning policy matters that deal with the planning and provision of residential facilities or replacement housing for those who may be displaced by project activities. At the request of the Agency, the PAC additionally may advise the Agency on other policy matters that affect the residents, businesses, and/or community organizations in the Project Area.

1. Meeting dates and agendas shall be posted in a public place in the manner provided for by law.
2. Meetings of the PAC shall be open to the public, and minutes shall be taken and provided to the Agency.
3. Minutes and records of the PAC shall be open to public inspection.
4. All meetings of the PAC shall be subject to the Ralph M. Brown Act (Government Code Section 54950 *et seq.*).
5. PAC members shall be required to file financial disclosure and conflict of interest statements with the Clerk of the Board of Supervisors in the manner required by law and pertinent County of San Bernardino ordinances, policies and/or procedures.

6. The PAC shall adopt its own by-laws and shall conduct its business according to those by-laws and Robert's Rules of Order. The by-laws shall provide for public comments at meetings, shall define a quorum as being a majority of filled seats, business procedures, number of unexcused absences, voting procedures, and other pertinent matters.
7. If, after the formation of the PAC, a vacancy occurs on the PAC, the vacancy shall be filled by the unelected candidate within the appropriate elected Membership Category who received the highest votes in the PAC formation election. In the event that there is no such unelected candidate available to fill such vacancy, the PAC may call for a new election to fill such vacancy in the manner as provided above, unless the Board of Supervisors determines that a new election would be infeasible or futile due to such factors as the past lack of interest of potential members in serving on the PAC, or insufficient time to hold an election prior to the PAC's consideration of the proposed Redevelopment Plan. If an election is judged infeasible, the PAC may appoint a person who otherwise is eligible to serve on the PAC in the appropriate Membership Category.
8. If, after the formation of the PAC, a vacancy occurs in the Community Organization category, the Board of Supervisors shall appoint a replacement Community Organization.
9. The PAC shall advise the Agency throughout the period during which the Redevelopment Plan is being formulated, and for a period of three years after adoption of the Redevelopment Plan, subject thereafter to one year extensions by the Board of Supervisors.
10. The PAC shall review all documents pertinent to the formulation of the Redevelopment Plan (including any amendments thereto), including as appropriate, the Preliminary Report, the Redevelopment Plan itself, any environmental documents, and all other appropriate supporting and explanatory material. The PAC may make a recommendation to the Agency relative to whether the Redevelopment Plan should be adopted, and any changes that should be made to it.
11. The members of the PAC shall serve without compensation.
12. The operation of the PAC, including any offices, equipment, supplies, staffing and legal or other consulting, shall be provided through equivalent resources, including Agency resources. No funds shall be provided directly to the PAC.